



3736fimage

Attorney Docket No. T3736-9303US01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

First Named Inventor: NAGATA, SHINYA

**Art Unit: 3736**

Appln. No.: 10/519,911✓

**Examiner:**

Filed: December 30, 2004

**Confirmation No.: 2644**

For: ELECTROCARDIOGRAM ANALYSIS  
DEVICE AND METHOD THEREOF

\* \* \*

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Official Filing Receipt mailed June 22, 2005, was received by the undersigned attorney of record in the above-identified application. On reviewing the Official Filing Receipt, there is one correction to be made.

It is respectfully requested that the official filing receipt be corrected to show the Assignee as highlighted on the attached copy. See the accompanying supporting documentation.

A Corrected Official Filing Receipt is respectfully requested.

Respectfully submitted,

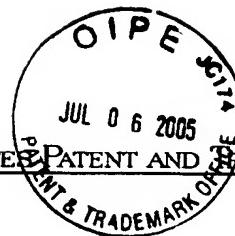
JHV:jab

Miles & Stockbridge P.C.  
1751 Pinnacle Drive, Suite 500  
McLean, Virginia 22102-3833  
(703) 903-9000

By:

Jason H. Vick  
Reg. No. 45,285

July 6, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE RECD	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/519,911	12/30/2004	3736	1700	T3736-9303US01	17	15	7

181  
MILES & STOCKBRIDGE PC  
1751 PINNACLE DRIVE  
SUITE 500  
MCLEAN, VA 22102-3833

**RECEIVED**  
JUN 27 2005  
MILES & STOCKBRIDGE P.C.  
TYSONS CORNER  
MCLEAN, VA 22102-3833

CONFIRMATION NO. 2644  
FILING RECEIPT  
  
\*OC000000016332411\*

Date Mailed: 06/22/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

#### Applicant(s)

Shinya Nagata, Kobe-shi Hyogo, JAPAN;  
Ryuji Nagai, Takatsuki-shi, JAPAN;  
Kenji Kouchi, Toyonaka-shi Osaka, JAPAN;

**Power of Attorney:** The patent practitioners associated with Customer Number 181.

#### Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/08553 07/04/2003

#### Foreign Applications

**ASSIGNMENT FOR PUBLISHED PATENT APPLICATION:** DAINIPPON PHARMACEUTICAL CO.,LTD.

**Projected Publication Date:** 09/29/2005

**Non-Publication Request:** No

**Early Publication Request:** No

#### Title

Electrocardiogram analysis device and method thereof

**Preliminary Class**

600

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

ATTORNEY'S DOCKET NUMBER

T3736-9303US01

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.  
PCT/JP2003/008553INTERNATIONAL FILING DATE  
04 July 2003PRIORITY DATE CLAIMED  
04 July 2002TITLE OF INVENTION  
**ELECTROCARDIOGRAM ANALYSIS DEVICE AND METHOD THEREOF**

## APPLICANT(S) FOR DO/EO/US

NAGATA, Shinya; NAGAI, Ryuji; KOUCHI, Kenji



Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11.  A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12.  A copy of the International Search Report (PCT/ISA/210).

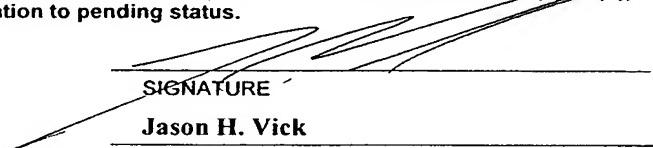
**Items 13 to 23 below concern document(s) or information included:**

13.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15.  A **FIRST** preliminary amendment.
16.  A **SECOND** or **SUBSEQUENT** preliminary amendment.
17.  A substitute specification.
18.  A power of attorney and/or change of address letter.
19.  A computer-readable form of the sequence listing in accordance with PCT Rule 13/ter.2 and 37 CFR 1.821 - 1.825.
20.  A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21.  A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22.  Express Mail Label No.
23.  Other items or information:

Copy of Form PCT/IB/308  
17 Sheets Formal Drawings**Assignment Information:**

Assignee: Dainippon Pharmaceutical Co., Ltd.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. <b>PCT/JP03/008553</b>		ATTORNEY'S DOCKET NUMBER <b>T3736-9303US01</b>	
24. The following fees are submitted:				Applicant use	Office use
<input checked="" type="checkbox"/> a) Basic national fee ..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee ..... \$200.00 <input checked="" type="checkbox"/> c) Search fee ..... \$500.00				\$ 300.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b> \$1000.00				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
- 100 =	/50 =			x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15	- 20 = 0	x \$50.00	\$ 0.00	
Independent claims	7	- 3 = 4	x \$200.00	\$ 800.00	
MULTIPLE DEPENDENT CLAIMS (if applicable)				\$ 0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,800.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
<b>SUBTOTAL =</b> \$ 1,800.00					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
<b>TOTAL NATIONAL FEE =</b> \$ 1,800.00					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$ 40.00					
<b>TOTAL FEES ENCLOSED =</b> \$ 1,840.00					
Amount to be refunded: \$					
Amount to be charged: \$					
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$1,840.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is _____. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1165</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Jason H. Vick Miles & Stockbridge P.C. Customer No. 181					
SIGNATURE  Jason H. Vick NAME 45,285 REGISTRATION NUMBER					

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

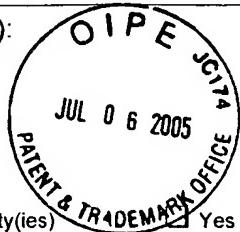
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To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Shinya NAGATA  
Ryuji NAGAI  
Kenji KOUCHI

Additional names(s) of conveying party(ies) Yes  No

2. Name and address of receiving party(ies):

Name: Dainippon Pharmaceutical Co., Ltd.Address: 6-8, Dosho-machi 2-chomeChuo-ku

Nature of conveyance:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger         |
| <input type="checkbox"/> Security Agreement    | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____           |   |

Execution Date: December 24, 2004Additional name(s) & address(es)  Yes  No

3. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: December 24, 2004

Patent Application No.

Filing date

B. Patent No.(s)

Additional numbers

 Yes  No

4. Name and address of party to whom correspondence concerning document should be mailed:

Name: Jason H. VickRegistration No. 45,285Address: Miles & Stockbridge P.C.1751 Pinnacle Dr., Suite 500City: McLean State/Prov.: VACountry: U.S. ZIP: 221026. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): ..... \$ 40.00 Enclosed - Any excess or insufficiency should be credited or debited to deposit account Authorized to be charged to deposit account

8. Deposit account number:

50-1165

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Jason H. Vick

Name of Person Signing

Signature

December 30, 2004

2

Date

Total number of pages including cover sheet, attachments, and

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services

Director of the United States Patent and Trademark Office

P.O. Box 1450, Alexandria, VA 22313-1450

## **ASSIGNMENT**

In consideration of the receipt of good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, the undersigned,

(1) Shinya NAGATA  
(2) Ryuji NAGAI  
(3) Kenji KOUCHI

(4) \_\_\_\_\_  
(5) \_\_\_\_\_  
(6) \_\_\_\_\_

who have made a certain new and useful invention, hereby sell, assign and transfer unto

DAINIPPON PHARMACEUTICAL CO., LTD. of 6-8,Doshō-machi 2-chome, Chuo-ku, Osaka-shi, Osaka 541-8524 Japan

its successors and assigns (hereinafter designated "ASSIGNEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100 in the invention entitled

Electrocardiogram analysis device and method thereof

(a) for which an application for United States Letters Patent was filed on \_\_\_\_\_, and identified by United States Serial No. \_\_\_\_\_; or

(b) for which an application for United States Letters Patent was executed on December 24, 2004,

and the undersigned hereby authorize and request the United States Commissioner of Patent and Trademarks to issue any and all United States Letters Patents which may be granted therefor and any and all extensions, divisions, reissues, substitutes, renewals or continuations thereof, and the right to all benefits under the International Convention for the Protection of Industrial Property to the said ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives; the undersigned agree that the attorneys of record in said application shall hereafter act on behalf of said ASSIGNEE;

AND the undersigned hereby agree to transfer a like interest, and to render all necessary assistance in making application for, obtaining, and enforcing original, divisional, reissued or extended Letters Patent of the United States, upon request of the said ASSIGNEE, its successors, assigns and legal representatives, and without further remuneration, in and to any improvements, and applications for patent based thereon, growing out of or related to the said invention; and to execute any papers by the said ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

SIGNED on the dates indicated aside our signatures:

INVENTOR(S)

DATE SIGNED

(1) Shinya Nagata  
Name: Shinya NAGATA

December 24. 2004

(2) Ryuji Naga  
Name: Ryuji NAGAI

December 24. 2004

(3) Kenji Kouchi  
Name: Kenji KOUCHI

December 24. 2004

(4) \_\_\_\_\_  
Name: \_\_\_\_\_

\_\_\_\_\_

(5) \_\_\_\_\_  
Name: \_\_\_\_\_

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(6) \_\_\_\_\_  
Name: \_\_\_\_\_

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